

5/035/023

Variance Request for Rule R647-3-110

We are requesting from you permission to move to a new 5-acre area. We have mined, regarded and seeded the 5-acre area that we have currently been quarrying and would like to now move into a new area while remaining a small mine. The 5-acres that we have been permitted to mine has not gone through a growing season as required by R647-3-109.13.12, but we have spent \$4000 in seeding materials to expedite this area for vegetation establishment. We've graded the area, we've seeded the area, we've mulched the area and we have and will continue and commit to actively monitor this area and to water the area continually to establish a growth and to take remedial action as necessary.

On much of the existing area that we have been quarrying has had a hardpan layer known as a "caliche" layer, which is down only 4' deep. With so much of the 5-acres only being able to go down the 4' not the 10' that we had thought and expected that we could go, we have quarried all the rock possible in that given area. The new area that we've indicated has a higher density of rock, which will take more time for us to quarry through. We will use the same method to quarry rock from the new area requested as we have from the past 5-acres.

As requested we would like to expand into a new area and would hope that you would allow us to do this.

Thank you,

Tracy Burnham

III. OPERATION PLAN (Rule R647-3-106)

1. **Type of mining:** Surface ☒ Underground ☐
2. **Mineral(s) to be mined:** Landscape Rocks
3. **Amount of material to be extracted, moved or proposed to be moved:** 30,000 tons
4. **Will any water, liquid chemicals, reagents, or other solutions be used, produced or discharged as part of the mining or milling process?**
Yes ☐ No ☒ If yes, please describe (add extra pages if needed)

5. **Provide a brief description of the proposed mining operation and onsite processing facilities** (add extra pages if necessary). Two Trachoes will facilitate the mining and loading process. One Trachoe to quarry and regroom the quarried site. The other trachoe to load 10 wheel pump trucks.
6. ☒ **New Road(s):** Length 300 (ft) Width 12 (ft)
7. ☐ **Improved Road(s):** Length _____ (ft) Width _____ (ft)
8. **Total project surface acreage to be disturbed:** 10 (acres) **PLEASE SPECIFY EXACT ACREAGE - (this will be used to determine surety bond amount - see #VI).**
9. **Proposed startup date of project** (month, year) Oct. 2005
10. **Proposed completion date of project, if known** (month, year) approx. 1yr. Oct. 2006

IV. OPERATION AND RECLAMATION PRACTICES (Rule R647-3-107, 108 & 109)

The reclamation and operation obligation is to keep the area clean and safe, minimize hazards to public safety, return the land to a useful condition, and reestablish at least 70 percent of the premining vegetative ground cover. To accomplish this, the Permittee / Operator will need to perform reclamation concurrently, or at the completion (within one (1) year) of mining:

1. *Keep the mining operation in a safe, clean, and environmentally stable condition.*
2. *Permanently seal all shafts and tunnels to prevent unauthorized or accidental entry.*
3. *Plug drill holes with a five foot cement surface plug. Holes that encounter fluids are to be plugged in the subsurface to prevent aquifer contamination.*
4. *Construct berms, fences, or barriers, when needed, above highwalls and excavations.*
5. *Remove, isolate, or neutralize all toxic materials in a manner compatible with federal and state regulations.*
6. *Remove all waste or debris from stream channels.*

Please see
Variance Section
5 acres of new
disturbance

7. Dispose of any trash, scrap metal, wood, machinery, and buildings.
8. Conduct mining activities so as to minimize erosion and control sediment.
9. Reclaim all roads that are not part of a permanent transportation system.
10. Stockpile topsoil and suitable overburden prior to mining.
11. Stabilize highwalls by backfilling or rounding to 45 degrees or less, where feasible; reshape the land to near its original contour, and redistribute the topsoil and suitable overburden.
12. Properly prepare seedbed to a depth of six inches by pocking, ripping, discing, or harrowing. Leave the surface rough.
13. Reseed disturbed areas with adaptable species. (The Division recommends a mixture of species of grass, forb, and browse seed, and will provide a specific species list if requested.)
14. Plant the seed with a rangeland or farm drill, or broadcast the seed. Fall is the preferred time to seed.

V. VARIANCE REQUEST (Rule R647-3-110)

Any variance request must be approved in writing by the Division

Yes ☒ No ☐

Any planned deviations from Rules R647-3-107, Operation Practices, R647-3-108, Hole Plugging Requirements, or R647-3-109, Reclamation Practices, as summarized above, should be identified below and justification given for the variance request(s).

Item Number Variance Request Justification

R647-3-109.13.12 please refer to the attached page for explanation.

VI. SURETY (Act 40-8-7(1)[c])

The surety must be provided to and approved by the Division prior to commencement of operations.

The Utah Mined Land Reclamation Act (40-8-7 (1)[c] and 40-8-14 provides the authority that all mining operations furnish and maintain reasonable surety to guarantee that the land affected is reclaimed according to approved notices consistent with on-site conditions. The surety amount is based on the nature, extent and duration of operations. The surety amounts are based on data from current large mine surety and are used as a general guide, along with actual site conditions.

Surety for small mines sites will be escalated three (3) years to the future. Contact the Division for dollar amount required for this project.

Acceptable forms of surety may include: certificates of deposit, letters of credit, surety bonds & cash. Please identify which type of surety you will post so we can provide you with the appropriate forms.

☒ Certificate of Deposit ☐ Letter of Credit ☐ Surety Bond ☐ Cash
☐ Other _____ (please identify)

(please be advised that the State Treasurer's office may require additional monies to administer cash sureties).

Check if applicable:

☐ Reclamation surety is already posted with another regulatory agency (copy must be included as proof):
 \$ _____ (amount) _____ (Agency name)